



April 26, 2024

There are only three weeks remaining in the 2024 legislative session! This week the Missouri Senate was all about that FY2025 budget. Floor debate in the upper chamber was at a minimum to allow the Senate Appropriations Committee to put its version of the budget together. The House is churning out bills in hopes of putting a few more on Governor Mike Parson's desk. One is sitting there now.

On Tuesday, the House Truly Agreed and Finally Passed House Bill 1751 sponsored by Representative Mike Haffner (R-Pleasant Hill). HB1751 says the Department of Natural Resources shall not issue a permit for the operation of a solid waste processing facility, demolition landfill, or sanitary landfill located in the city of Kansas City without receiving approval from an adjoining municipality if such area is located within one mile of the adjoining municipality, instead of one-half mile as in the current law. During the bill's progression, it was amended to include solid waste processing facilities, demolition landfill, or sanitary landfill to the description, and changed the adjoining jurisdictions from one-half mile to within one mile. This change is a part of a compromise reached by well-known Kill the Fill PAC, members of the community, civic leaders and landfill developers. The bill passed 121 - 25. Governor Parson has 15 days to take action on legislation.

Your tailored summary of the week is below. Thanks and have a great weekend!

Floor Debate Notes

Landfill Permitting

The House dedicated floor time Tuesday morning to consider passage of HB 1751, sponsored by Representative Mike Haffner (R-Pleasant Hill). Currently, the Missouri Department of Natural Resources (DNR) is prohibited from issuing a permit for the operation of a solid waste disposal area designed to serve a city with a population greater than 400,000 inhabitants located in more than one county, if the site is located within one-half mile of an adjoining municipality without its approval. During the bill's Senate progression, the bill was amended to include solid waste processing facilities, demolition landfill, or sanitary landfill to the description, and changed the adjoining jurisdictions from one-half mile to within one mile. This change represents part of a deal reached between the City of Raymore and property owners who planned to build a landfill and now will be financially reimbursed by Raymore and will be engaging in a new development. After considerable debate, the House Truly Agreed to and Passed the bill by a 121-25 vote. The bill now will be sent to the Governor for final approval.

State Funds Prohibition

The House dedicated floor time Wednesday afternoon to revisit HB 2634, sponsored by Representative Cody Smith (R-Carthage). The bill prohibits public funds being expended to any

abortion facility, or affiliate or associate thereof, including for MO HealthNet reimbursement. After a lengthy debate, the House Truly Agreed to and Passed the bill by a 106-48 vote, however failed to adopt the Emergency Clause by a 106-50 vote. The bill now will be sent to the Governor for final approval.

Committee Notes

Relating to Financial Instruments

The House Financial Institutions Committee met Tuesday afternoon to consider passage of SB 835, sponsored by Senator Sandy Crawford (R-Buffalo). As originally filed, this bill updated provisions relating to lending by repealing an existing prohibition against parties agreeing in writing to any rate of interest, fees, and other terms and conditions in connection with any loan of less than \$5,000 secured by real estate used for agricultural activity. Additionally, the bill permits lenders to charge consumers for the cost of a credit report or reports. Finally, the bill repeals a provision enacted in 1883 that requires description of a woman's status as "wife" when executing a notary's certificate of acknowledgement form in the course of a real estate transaction with her husband. During the bill's Senate progression, the bill was amended to include SB 736, relating to the Linked Deposit Program (MO Bucks); SB 753, which establishes the Commercial Financing Disclosure Law; SB 1518, which prohibits any public entity from discriminating or giving preferential treatment to any bidder, offeror, or vendor when engaged in procuring or letting contracts for any purpose, based on an environmental, social and governance score; prohibits the State of Missouri from accepting payments using central bank digital currency; and SB 735, specifically exempts all purchases of bullion and investment coins from all state and local sales taxes and requires the State of Missouri to accept gold and silver as legal tender. During committee discussion, a committee substitute was adopted to further amend the bill to modify the ESG provisions to ensure bidders, offerors, or vendors are not discriminated against or given preferential treatment based on an environmental, social, and governance score as the motivating factor. Additionally, the House committee substitute further amended the bill to include 22 new provisions. Specifically:

- HB 2750, prohibition of central bank digital currency and Money Transmission Modernization Act of 2024.
- HB 2756, modifies provisions of the "Property Assessment Clean Energy Act".
- HB 1725, establishes requirements for municipal bonds receiving the Green Bond rating in the State of Missouri and seeks to update and modernize out of date terminology and requires bonds to be sold at the lowest true interest cost.
- HB 2526, modifies rules in regard to public funds and financial depositories.
- HB 1504, allows payments from a candidate or campaign committee to be made via mobile payment services.
- Removes SB 735, related to gold and silver provisions and updates the language to include HB 1955, establishes the "Constitutional Money Act" and modifies and creates new provisions relating to the treatment and use of gold and silver.
- HB 1727, requires the department of elementary and secondary education to develop a curriculum on personal finance to be used by school districts.
- HB 1987, modifies the Principal and Income Act to resemble the latest version of the Uniform Fiduciary Income and Principal Act.
- HB 1478, establishes the "Money Transmission Modernization Act of 2024" (MTMA) which replaces existing money transmission laws and ensures that states coordinate in areas of regulation and licensing to eliminate unnecessary regulatory burden, protect the public from financial crime, and protect customer funds.
- HB 1938, exempts private trust companies from certain residency requirements governing board of directors of a corporation as indicated in the bill.

- HB 2798, modifies the statutes on family trust companies to transfer administration and enforcement from the Secretary of State's office to the Division of Finance within the Department of Commerce and Insurance.
- HB 2087, prohibits health carriers from using reimbursement methods that charge a fee to health care providers.
- SB 927, increases the maximum insurance coverage that may be offered by self-service storage insurance providers.
- SB 836, modifies the definition of "certified funds" for purposes of a statute regulating the use of certain funds by real estate settlement agents and title insurance agents.
- SB 826, creates new provisions relating to central bank digital currency. Also, the bill modifies the definition of "money" for purposes of the Uniform Commercial Code to exclude central bank digital currency from its meaning.
- HB 1867, modifies and creates new provisions related to the regulation and use of gold and silver.
- HB 2086, modifies caps, fees, and title requirements for certain real estate and agricultural loans and also authorizes the charge for the cost of the credit report.
- SB 938, modifies provisions relating to the sale of property to satisfy liens on stored property.
- HB 2063, modifies laws relating to commercial financing disclosures.
- HB 1782, modifies provisions regarding qualified spousal trusts.
- HB 1987, modifies the Principal and Income Act to resemble the latest version of the Uniform Fiduciary Income and Principal Act.
- HB 2526, modifies rules in regard to public funds and financial depositories.

Once modified, the committee passed the bill by a 9-4 vote.

The committee then turned its attention towards SB 736, sponsored by Senator Sandy Crawford (R-Buffalo). The bill is the Senate companion to HB 1803, sponsored by Representative Terry Thompson (R-Lexington) and raises the aggregate amount the state treasurer may invest in linked deposits with a cap of \$1.2 billion. The current cap is \$800 million. The bill also includes SB 735, which creates and modifies provisions relating to gold and silver, and also prohibit the state treasurer from accepting payments using central bank digital currency. During committee discussion, a committee substitute was adopted to include 13 new provisions. Specifically:

- HB 1955, permits the State Treasurer to keep in the custody of the State Treasury an amount of specie less than or equal to 1% of total state investment holdings, effective January 1, 2025. Also, the bill creates, as of July 1, 2025, the "Task Force on Gold and Silver".
- HB 2756, modifies provisions of the "Property Assessment Clean Energy Act".
- SB 826, Creates new provisions relating to central bank digital currency.
- HB 1867, Currently, all purchases of bullion and investment coins are exempt from all state and local sales taxes. This bill additionally exempts from state income tax the portion of capital gain on the sale or exchange of gold and silver species that are otherwise included in the taxpayer's federal adjusted gross income.
- HB 1478, establishes the "Money Transmission Modernization Act of 2024" (MTMA) which replaces existing money transmission laws and ensures that states coordinate in areas of regulation and licensing to eliminate unnecessary regulatory burden, protect the public from financial crime, and protect customer funds.
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Employment Security^[1]_{SEP}

The Senate General Laws Committee met Wednesday morning to discuss HB 2098, sponsored by Representative Terry Thompson (R-Lexington). The bill is the House companion to SB 845, sponsored by Senator Mike Bernskoetter (R-Jefferson City) and modifies the definition of “wages” to include vacation pay, termination pay, severance pay and holiday pay for the week that it is payable. The MO Department of Labor, MO Chamber of Commerce and Industry, MO Grocers Association, MO Retailers Association, MO Tire Industry Association, and Associated Industries of MO supported the bill and stated the bill simply aligns MO with 35 other states. MO AFL-CIO opposed the bill because it seeks to reduce pay and eliminates severance pay.

Research and Experimental Expenditures

The Senate Economic Development and Tax Policy Committee met Monday afternoon to consider passage of SB 1365, sponsored by Senator Travis Fitzwater (R-Holts Summit). The bill is the Senate companion to HB 2457, which seeks to decouple our state income taxes from section 174 of the IRS tax code to allow taxpayers to deduct specified research and experimental expenditures from their federal adjusted gross income tax code. After no discussion, the committee passed the bill by a 4-0 vote.

Military Personnel Omnibus

The House Veterans Committee convened Tuesday morning to consider passage of SB 912, sponsored by Senator Ben Brown (R-Franklin). The bill modifies several provisions relating to veterans by requiring the MO Veterans’ Commission to review veterans’ suicides, collect data of services by state agencies provided to veterans, amongst several specialty license plate provisions. Additionally, the bill prohibits any foreign ownership of agricultural land near military areas and exempts any military signing bonuses from state income taxes. During committee discussion, additional provisions were added to create an omnibus bill. Specifically, the bill now:

- Modifies the work opportunity and grant authority program;
- Enables elected officials to recruit election judges by defining non-resident military spouses;
- Removed the provision regarding foreign ownership of agricultural land near military areas;
- Adds HB 1712 which allows Missouri National Guard member educational assistance grants be available for tuition at out-of-state educational institutions;

- Adds HB 1496 which establishes the “Operation Enduring Freedom, Operation Freedom’s Sentinel and Operation Allies Refuge Program”;
- Adds HB 2797 which establishes memorial bridge and highway designations;
- Adds HB 1494 which establishes the “Uniform Deployed Parents Custody and Visitation Act”;

Once modified, the committee passed the bill by a 14-0 vote.

State Preemption

The House Special Committee on Government Accountability met in executive session Tuesday morning to consider HB 1509, sponsored by Representative Jim Murphy (R-St. Louis). This bill prohibits local governments from interfering in the course of practice with any medical professional, including the practice of veterinary medicine. During committee discussion, a committee substitute was adopted clarifying that the term political subdivision refers to a county, township, city, incorporated town, or village in this state and also adds language to assure that nothing in the bill precludes or preempts a political subdivision from regulating zoning or land use. Once modified, the committee passed the bill by a 9-4 vote.

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Budget Update

The Senate Appropriations Committee dedicated the majority of the week reviewing the House's proposed FY2025 budget proposal and conducted the mark-up process to craft their version of the FY2025 budget. During the State of the State Governor Parson proposed a nearly \$53 billion budget. The House cut nearly \$2 billion in spending out of that plan. Throughout the course of two days, the Senate Appropriations Committee reinstated almost all of the \$2 billion back into the budget.

Chairman Lincoln Hough (R-Springfield) moved swiftly through the eighteen budget bills over the course of Tuesday and Wednesday's hearings. Several Senators received new decision items (NDIs) for individual projects and organizations throughout their districts. Some of the larger items added by the Senate include \$9.5 million for an EMS First Responder grant program, over \$1 billion in ARPA spending for various projects for Higher Education institutions, an increase to \$27.31 per prisoner per day for county jail reimbursements, \$363 million in bonding for construction improvements on I-44, an additional \$75 million for various road projects throughout the state and restored \$3 million for tourism funding.

There were also some large cuts made including removal of \$25 million for Close the Gap programs, \$3 million for low-income housing programs, \$1.2 million for childcare quality

initiatives. The Senate also removed several vacant full time employee line items throughout the budget, along with removing any expiring grant authority spending. While the majority of the committee moved swiftly without controversy, there was one last minute inclusion, aimed at Kansas City. Ultimately, language was included that cuts all state funding for cities that become sanctuaries for immigrants, and it also requires any money already received by those cities to be paid back with interest.

All eighteen budget bills are expected to be debated by the full Senate next week, with every change and inclusion being heavily scrutinized. There have been rumblings that members of the Freedom Caucus are proposing to cut up to 5% in spending for all departments through a series of amendments. Regardless, the Senate and House must also still meet to work through any differences and pass the bills before the May 10th Constitutional deadline.

Tidbits

- Following a national search, Governor Mike Parson has appointed Jason Sumners to succeed Sara Parker Pauley as the Director of the Department of Conservation effective June 1, 2024. Director Pauley is retiring after 30 years of public service. Mr. Sumners has been serving as the Deputy Director of Resource Management for the Department and brings with him a significant amount of state and national experience in the area of wildlife and conservation. His appointment requires confirmation by the Missouri Senate.
- On Tuesday, the Federal Trade Commission **issued a final rule** that they believe promotes competition by banning non-compete agreements nationwide. The new rules take effect 120 days following its publication in the *Federal Register*. It prohibits employers from entering into new non-compete agreements on or after the effective date and also prohibits employers from enforcing current non-compete agreements with workers other than senior executives. Additional information about the new rule may be found **here**.
- On Monday, Trussworks Mid-America LLC, a leading truss manufacturer, announced that it will establish a new facility in Jackson, investing \$5 million and creating 70 new jobs. The company's facility will enhance its production capabilities while enabling it to meet growing demand for its products. Texas-based Trussworks designs and builds wood trusses for the construction industry.
- This week, the U.S. Supreme Court heard arguments regarding whether or not local governments can criminalize homelessness by making it a crime to sleep outdoors on public property. Texas, Tennessee, and Missouri have all passed bans on camping on public property, but the Missouri bill, HB 1606 (2022) see § 67.2300, was struck down by the MO Supreme Court over this provision. Several cities across the U.S., with both Republican and Democratic leaders, have established tougher anti-camping regulations in an effort to crack down on the number of homeless people living on city streets. The issue being argued centers around the Eighth Amendment and whether or not fines and jail terms are considered cruel methods of punishment for the allegedly innocent and unavoidable behavior of existing outside due to lack of shelter.
- The House dedicated floor time Wednesday afternoon to revisit HB 2634, sponsored by Representative Cody Smith (R-Carthage). The bill prohibits public funds being expended to any abortion facility, or affiliate or associate thereof, including for MO HealthNet reimbursement. After a lengthy debate, the House Truly Agreed to and Passed the bill by a 106-48 vote, however failed to adopt the

Emergency Clause by a 106-50 vote. The bill now will be sent to the Governor for final approval.

- The Senate Economic Development and Tax Policy Committee met Monday afternoon to consider passage of SB 1365, sponsored by Senator Travis Fitzwater (R-Holts Summit). The bill is the Senate companion to HB 2457, which seeks to decouple our state income taxes from section 174 of the IRS tax code to allow taxpayers to deduct specified research and experimental expenditures from their federal adjusted gross income tax code. After no discussion, the committee passed the bill by a 4-0 vote.
- The House Special Committee on Public Policy convened Tuesday morning to discuss SB 872, sponsored by Senator Karla Eslinger (R-Wasola). Currently, a taxpayer may deduct from state income tax 100% of any federal grant money received for the purpose of providing or expanding access to broadband internet to areas of the state that lack access. This bill expands the deduction to include state or local grant money and limits the deduction only to money disbursed for this express purpose. During previous debate, the bill was amended to include three additional provisions. Specifically, SB 947, which modifies the definition of "video service" for provisions of law relating to video service providers to include the definition of streaming content; SB 1411, which extends the sunset on the Uniform Small Wireless Facility Deployment Act from January 1, 2025 to December 31, 2029; and SB 896, which creates a state and local sales tax exemption for utilities, equipment, and materials used to generate or transmit electricity. The Missouri Broadband Providers, Netflix, Dish Network and Directv, AT&T, Verizon, Missouri Chamber of Commerce, T-Mobile, Associated Industries of Missouri, Association of Missouri Electrical Cooperatives, Ameren Missouri, Gateway Fiber and Energy testified in support of the bill. A private citizen testified in opposition to the bill citing "giveaways to big utilities".
- The House General Laws Committee met Tuesday afternoon to consider passage of SB 894, sponsored by Senator Travis Fitzwater (R-Fulton). The bill establishes provisions relating to the promotion of business development. Specifically, the bill creates the Regulatory Sandbox Act which provides small businesses creating innovative products in all industries a way to waive or suspend certain regulations for two years by applying to the Regulatory Relief Office created within the Department of Economic Development. The bill also eliminates the Small Business Fairness Board because they have not had a quorum or the capability to meet over the past ten years. Additionally, the bill includes the Right-to-Start Act, which requires the Commissioner of Administration, in conjunction with the Office of Entrepreneurship, which is established by the act, to file a report with the General Assembly making recommendations on improving access and resources for new Missouri businesses that have been in operation for less than three years and also creates the Office of Entrepreneurship to promote policies and initiatives to support growth in Missouri. During debate, the sponsor successfully amended the bill to provide for technical changes. After no discussion, the committee passed the bill by an 11-1 vote.

Upcoming Hearings of Interest

House: <https://house.mo.gov/AllHearings.aspx>

Senate: <https://www.senate.mo.gov/hearingsschedule/hrings.htm>

Calendars

[House](#)

[Senate](#)

Key Upcoming Dates

- May 10, 2024 – Last Day to Constitutionally pass the FY 2025 Budget
- May 17, 2024 – Last Day of the 2024 Legislative session
- August 6, 2024 – Missouri Primary Elections
- September 11, 2024 – Veto Session
- November 5, 2024 – Missouri General Elections

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